

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cr. No. 20-CR-01370-KWR
	)	
<b>JULIAN LUCAS GARCIA III,</b>	)	
	)	
Defendant.	)	

**DEFENDANT’S PROPOSED STATEMENT OF CASE**

1. This is a criminal case brought by the United States government. I will sometimes refer to the United States as the prosecution or the government. The charges against the defendant are contained in Indictment. There is one defendant who is charged in this trial, and he is charged with:

- a. one count of assault resulting in serious bodily injury;
- b. one count of operating an off-highway vehicle while under the influence of intoxicating liquor or drugs resulting in bodily injury; and
- c. one count of operating an off-highway vehicle on a paved street or highway resulting in bodily injury.

2. The government alleges also that defendant Julian Garcia III is a non-Indian, that victim Jane Doe is an Indian, and that the charged crimes were committed in Indian Country, as those terms are defined in federal law. The alleged crimes charged in the Indictment, when committed by a non-Indian against an Indian in Indian Country, are possible federal crimes.

3. Mr. Garcia denies that he committed any criminal act. Mr. Garcia admits that he was involved in a tragic accident.

4. Assistant United States Attorneys Alexander Flores and Kyle Nayback will be prosecuting this case and representing the United States of America. The defendant, Julian Garcia III, is represented by his attorney, Robert Gorence.

Respectfully submitted,

/s/ Robert J. Gorence

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*Attorneys for Defendant Julian Garcia*

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 31<sup>st</sup> day of August, 2021, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Alexander Flores, Attorney for United States  
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/s/ Robert J. Gorence

Robert J. Gorence